

AGREEMENT made this *15th day of January 1964* by and among HENRIETTA B. GERINGER, also known as Henrietta Geringer, residing at 2675 Henry Hudson Parkway W., Riverdale, Bronx, New York, GERINGER REALTY CORP., a New York corporation, having its principal place of business at Furnace Dock Road, Town of Cortland, Peekskill, County of Westchester, State of New York, and GERINGER & SONS MANUFACTURING CORP., a New York corporation, having its principal place of business at Furnace Dock Road, Town of Cortland, Peekskill, County of Westchester, State of New York.

W I T N E S S E T H :

WHEREAS, HENRIETTA B. GERINGER was the owner of certain two parcels or pieces of land, contiguous to each other, conveyed to her by different grantors and at different times and hereinafter referred to as PARCEL I and PARCEL II as follows:

PARCEL I

Deed dated October 6, 1938 recorded in the Office of the Register of the County of Westchester in Liber 3709 of Deeds, page 261 on the 24th day of October, 1938 and conveyed by Mervin H. Lent, widower and Florence Mayers, both of the Town of Cortlandt, County of Westchester and State of New York, Ralph Lent and Edna Lent, his wife, of the City of Mount Vernon, County of Westchester and State of New York, Walter Leavy and Madeline Leavy, his wife, of the City of Cohoes, County of Albany and State of New York, and Mabel Fitzpatrick, of No. 28-12 Utopia Parkway, Flushing, Long Island, as grantors, and HENRIETTA GERINGER as grantees, which said PARCEL I is more particularly bounded and described as follows:

ALL that certain tract, piece or parcel of land, situate, lying and being in the Town of Cortlandt, County of Westchester and State of New York and bounded and described as follows:

BEGINNING at a point on the northerly side of the Furnace Dock Road, which point is on the division line between the lands hereby described and lands now or formerly of one P. Duncan Paret, and from said point of beginning running along the easterly line of said Paret land N. 27° 34' W. 208.0 feet to a point; thence still along land of said Paret S. 73° 45' W. 208.0 feet to a stone wall and land now or formerly of one Brown; thence along the easterly line of land of said Brown and part of the way along a wall and remains of wire on trees, N. 27° 13' W. 1211.86 feet to the end of a stone wall; thence along said stone wall and still along the lands of said Brown, N. 26° 16' W. 101.40 feet, N. 27° 20' W. 128.18 feet, N. 39° 59' W. 36.89 feet, N. 54° 58' W. 56.10 feet, N. 31° 37' W. 156.04 feet to other lands of the parties of the first part hereto; thence along other lands of the parties of the first part hereto and along a line of stakes S. 76° 58' 10" E. 2548.68 feet to the wall on the westerly side of Croton Avenue; thence along Croton Avenue as marked by a stone wall S. 5° 31' E. 308.15 feet and S. 31° 52' W. 30.98 feet to the northerly side of the Furnace Dock Road; thence along the Furnace Dock Road as marked by a stone wall S. 56° 57' W. 92.0 feet, S. 36° 38' W. 390.77 feet; S. 50° 24' W. 83.26 feet, S. 65° 44' W. 101.08 feet, S. 74° 48' W. 335.58 feet, S. 75° 10' W. 294.30 feet, S. 76° 53' W. 131.30 feet and S. 78° 33' W. 184.17 feet to the point or place of beginning. Being a parcel of land containing 50.484 acres, more or less,

and

PARCEL II

Deed dated the 13th day of October, 1948 and recorded in the Office of the Clerk of the County of Westchester (Division of Land Records) on the 12th day of November, 1948 in Liber 4691 of Deeds at page 292, and conveyed by The Tanite Company as grantor, and HENRIETTA B. GERINGER as grantee, which said PARCEL II is more particularly bounded and described as follows:

ALL that certain lot piece or parcel of land situate in the Town of Cortlandt, Westchester County, and State of New York, bounded as follows:, viz:

BEGINNING on the northerly side of the highway leading from Croton Avenue to the Furnace Woods Road and at the southwesterly corner of lands hereby conveyed; and at the southeasterly corner of lands of Daniel H. Chase; then northerly along the east line of said lands of D. H. Chase two hundred and eight (208) feet; then Easterly at right angle with said East line of D. H. Chase two hundred and eight (208) feet; then Southerly parallel with the first described line

two hundred and eight (208) feet to the northerly line of the highway aforesaid, and then westerly with the said north line of the highway two hundred and eight (208) feet to the place of beginning,

and

15, 1964
~~September 1, 1962~~ WHEREAS, HENRIETTA B. GERINGER by Deed dated ~~September 1, 1962~~ *January 15, 1964* conveyed to GERINGER REALTY CORP. all of the above premises referred to as PARCEL II and a portion of the above premises referred to as PARCEL I (which Deed is intended to be recorded simultaneously herewith) and which premises together are more particularly bounded and described as follows:

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Cortland, County of Westchester and State of New York and bounded and described as follows:

BEGINNING at a point where the division line of land now or formerly of Brown on the West and land now or formerly of Henrietta B. Geringer on the East intersects the Northerly side of Furnace Dock Road; running thence from said point of beginning along land now or formerly of Brown the following courses and distances: N. 27° 56' 10" W., 189.03 ft. and N. 27° 13' W., 395.99 ft. to land now or formerly of Henrietta B. Geringer; thence thru land now or formerly of Henrietta B. Geringer the following courses and distances: N. 73° 57' 10" E., 652.31 ft.; S. 16° 02' 50" E., 613.27 ft. to the Northerly side of Furnace Dock Road; thence along the Northerly side of Furnace Dock Road the following courses and distances: S. 75° 10' W., 11.38 ft.; S. 76° 53' W., 131.30 ft.; S. 78° 33' W., 184.17 ft. and S. 78° 51' 50" W., 211.36 ft. to land now or formerly of Brown and the point and place of BEGINNING. Containing 8.107 acres of land be the same more or less,

and

WHEREAS, GERINGER REALTY CORP. has leased to GERINGER & SONS MANUFACTURING CORP. all of the premises so conveyed to GERINGER REALTY CORP. by said Deed dated ~~September 1, 1962~~ *January 15, 1964* as aforesaid, together with the buildings situated thereon; and GERINGER & SONS MANUFACTURING CORP. is conducting certain manufacturing on said premises so leased to it; and

WHEREAS, with the consent of both HENRIETTA B. GERINGER and GERINGER REALTY CORP., the GERINGER & SONS

MANUFACTURING CORP., at its own cost and expense, has heretofore erected and constructed a certain watermain running from the manufacturing plant of GERINGER & SONS MANUFACTURING CORP. in a northeasterly direction through, across and under the said land of GERINGER REALTY CORP. and through, across and under the land of HENRIETTA B. GERINGER to a meter pit (also erected at the cost and expense of GERINGER & SONS MANUFACTURING CORP.) situated on the northeasterly point or part of the land of HENRIETTA B. GERINGER and connecting to the watermain or water pipe on Croton Avenue of the Town of Cortland, Peekskill, New York, which said watermain is now being used and maintained by GERINGER & SONS MANUFACTURING CORP. in connection ^{with} its manufacturing plant; ~~said watermain and its location is more particularly shown on a "Map of Property Situate in Town of Cortland, Westchester County, N. Y." prepared August 31st, 1962 for GERINGER & SONS MANUFACTURING CORP. by J. Wilbur Irish, Civil Engineer and Surveyor, 906 Smith St., Peekskill, New York~~

NOW, THEREFORE, in consideration of \$1.00 and other valuable consideration paid by GERINGER REALTY CORP. and GERINGER & SONS MANUFACTURING CORP. to HENRIETTA B. GERINGER and of the covenants contained herein, it is agreed as follows:

FIRST: HENRIETTA B. GERINGER does hereby grant and convey to GERINGER REALTY CORP. and GERINGER & SONS MANUFACTURING CORP. a permanent right of way and easement running from the manufacturing plant of GERINGER & SONS MANUFACTURING CORP. in a northeasterly direction through, across and under the said land of GERINGER REALTY CORP. and through, across and under the said land of HENRIETTA B. GERINGER to a meter pit situated on the northeasterly point or part of the land of HENRIETTA B. GERINGER and connecting to the watermain or water pipe on Croton Avenue of the Town of Cortland,

Peekskill, New York, which said watermain and its location is more particularly shown on a "Map of Property Situate in Town of Cortland, Westchester County, New York" prepared August 31, 1962 for GERINGER & SONS MANUFACTURING CORP. by J. Wilbur Irish, Civil Engineer and Surveyor, 206 Smith St., Peekskill, New York, for the following uses and purposes:

(a) The right to use, maintain, operate, alter, replace, repair and remove the said watermain, meter pit, valves and other appurtenant facilities (all of which shall be and remain the property of GERINGER & SONS MANUFACTURING CORP.) for the transmission and drawing water through the aforesaid watermain and meter pit; together with all rights and provisions incident and necessary to the enjoyment of this grant.

(b) The right to enter upon the premises and to open up said watermain and meter pit or any part thereof for the purpose of repairing and renewing the same as occasion may require, and restoring the surface thereof, whenever opened, and restoring and repairing roads now existing or which may hereafter be constructed thereon.

(c) That GERINGER REALTY CORP. and GERINGER & SONS MANUFACTURING CORP. shall keep the said watermain and meter pit in good repair and condition, and shall perform all of the things hereby authorized and required to be done by them upon or affecting said watermain, meter pit and land in a good and workmanlike manner and at their own cost and expense.

(d) That GERINGER REALTY CORP. and GERINGER & SONS MANUFACTURING CORP. shall be and continue to remain liable for physical damage to growing crops, timber, roads, buildings and structures situated on the land of HENRIETTA B. GERINGER which they or either of them may cause by laying, repairing, maintaining, operating or removing said watermain

or meter pit, provided however that any structures or buildings which may be erected or constructed by HENRIETTA B. GERINGER over the easement area herein described, shall be so erected and constructed as to give proper access to the watermain and meter pit for the purposes described herein.

SECOND: This covenant shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF, the parties hereto have duly executed this agreement the day and year first above written.

Henrietta B. Geringer

HENRIETTA B. GERINGER
also known as Henrietta Geringer

GERINGER REALTY CORP.

By: *Morris Geringer*
Morris Geringer Pres.

ATTEST:

Seymour Geringer
Seymour Geringer Sec.

Leonard Geringer
Leonard Geringer Vice Pres.

GERINGER & SONS MANUFACTURING CORP.

By: *Morris Geringer*
Morris Geringer Pres.



Excepting and reserving, however, unto the party of the first part, her heirs, distributees and assigns forever an easement and right of way and driveway 20 feet in width running from the Northerly side of Furnace Dock Road through the premises herein described to land now or formerly of Henrietta B. Geringer, for vehicles and pedestrians in favor of the adjoining lands now owned by the party of the first part, to be used by said party of the first part, her heirs, distributees and assigns in common with the party of the second part, its successors and assigns over and upon a portion of the lands hereby conveyed, which easement and right of way is bounded and described as follows:

BEGINNING at a point on the Northerly side of Furnace Dock Road, said point of beginning being distant N. 78° 51' 50" E., 211.36 ft. and N. 78° 33' E., 25.00 ft. as measured along the Northerly side of Furnace Dock Road from a point where the common boundary of land now or formerly of Brown on the West and land now or formerly of Henrietta B. Geringer on the East intersects the Northerly side of Furnace Dock Road; running thence from said point of beginning thru land now or formerly of Henrietta B. Geringer and along the Westerly side of the 20 ft. right of way herein being described the following courses and distances: N. 35° 45' 20" W., 299.35 ft.; N. 16° 32' 40" W., 200.00 ft. and N. 70° 51' 40" E., 122.25 ft. to the Northerly end of said 20 ft. right of way and land of Henrietta B. Geringer; thence N. 73° 57' 10" E. along land of Henrietta B. Geringer 21.88 ft. to the Easterly side of said 20 ft. right of way; thence thru lands now or formerly of Henrietta B. Geringer and along the Easterly side of said 20 ft. right of way the following courses and distances: S. 7° 51' 40" W., 126.79 ft.; S. 16° 32' 40" E., 132.29 ft. and S. 35° 45' 20" E., 305.00 ft. to the Northerly side of Furnace Dock Road; thence S. 78° 33' W., along the Northerly side of Furnace Dock Road 21.94 ft. to the point and place of BEGINNING.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the parties hereto have duly executed this Deed the day and year first above written.

Henrietta B. Geringer
HENRIETTA B. GERINGER
also known as *Henrietta Geringer*

GERINGER REALTY CORP.

By: *Morris Geringer*
Morris Geringer Pres.